IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

NO. 5:20-CV-139-FL

CHRISTOPHER MCKAY,)	
Plaintiff,)	
v.)	ORDER
EXPERIS US INC. and MANPOWER)	
GROUP US INC,)	
)	
Defendants.)	

This matter is before the court on its own initiative. Pursuant to Rule 72(a) of the Federal Rules of Civil Procedure, United States Magistrate Judge Robert T. Numbers, II granted in part and denied in part plaintiff's motion to compel September 13, 2021, directing defendants to supplement certain discovery responses within 14 days, and further directing plaintiff to notify the clerk and opposing counsel, within seven days of receiving those responses, if plaintiff believes that defendants' Rule 30(b)(6) deposition should be reopened. In that event, the magistrate judge will hold a hearing by videoconference to address plaintiff's request.

Where the parties filed summary judgment motions in April 2021, and briefing on such motions has been stayed pending completion of supplemental discovery in conjunction with proceedings before the magistrate judge, the court directs refiling of such motions after those proceedings have concluded, as follows.

Because supplemental discovery may have bearing on issues raised in the instant summary judgment motions, the court in its discretion DENIES WITHOUT PREJUDICE such motions (DE

40, 46), and allows the parties to propose a new deadline for refiling summary judgment motions after completion of supplemental discovery.

The parties are DIRECTED to file, within seven days of resolution of the instant discovery proceedings, a joint proposed order, setting forth deadlines for filing renewed summary judgment motions, if any, as well as deadlines for filing response and reply briefs, if any. With respect to renewed summary judgment motions, the parties may, but are not required to, provide allowance for incorporation by reference exhibits previously filed.

SO ORDERED, this the 16th day of September, 2021.

IOUISE W. FLANASAN United States District Judge

whichever occurs first.

The instant discovery proceedings will be deemed complete when:

¹⁾ seven days have elapsed since defendants supplemented their discovery responses, and plaintiff did not seek to reopen defendants' Rule 30(b)(6) deposition;

²⁾ plaintiff requested the reopening of defendants' Rule 30(b)(6) deposition, and the magistrate judge denied that request; or

³⁾ plaintiff requested the reopening of defendants' Rule 30(b)(6) deposition, the magistrate judge granted that request, and the additional Rule 30(b)(6) depositions have been conducted;